

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ARETHA D. BROWN,

Plaintiff,

v.

WYNN LAS VEGAS & ENCORE
RESORT; CARRIE MESSINA, Vice
President of Human Resources,

Defendants.

Case No. 2:16-cv-00156-RFB-VCF

**ORDER ADOPTING REPORT &
RECOMMENDATION OF
MAGISTRATE JUDGE CAM
FERENBACH**

Before the Court for consideration is the Report and Recommendation (ECF No. 3) of the Honorable Judge Cam Ferenbach, United States Magistrate Judge. The Report and Recommendation grants Plaintiff Brown's application to proceed *in forma pauperis* and recommends dismissing her Complaint without prejudice. For the reasons stated below the Court adopts Judge Ferenbach's Report and Recommendation in full.

A district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). A party may file specific written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. § 636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is required to "make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1); *see also* Local Rule IB 3-2(b).

1 In this case, Plaintiff filed an objection to Judge Ferenbach's Report and Recommendation
2 (ECF No. 3) on February 10, 2016. ECF No. 9. However, this Objection is not responsive to the
3 grounds upon which Judge Ferenbach recommended dismissal of Plaintiff's Complaint without
4 prejudice with leave to amend to provide more detail regarding her claims that would satisfy the
5 pleading requirements under Fed. R. Civ. P. 8(a). See Ashcroft v. Iqbal, 556 U.S. 662, 680 (2009);
6 Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 556 (2007). The Court has reviewed the record in
7 this case and concurs with the Magistrate Judge's recommendation.

8 **IT IS THEREFORE ORDERED** that the Report and Recommendation (ECF No. 3) is
9 **ADOPTED in full.**

10 Plaintiff shall have until August 10, 2016 to file an Amended Complaint to avoid dismissal
11 with prejudice.

12 **DATED:** July 25, 2016.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE